

# Exhibit M



Frito-Lay, Inc.

To: Ed De Stefan

Copies: Kevin Arceneaux  
Mike Williams  
Human Resources  
File

From: Greg La Mar

Date: February 11, 1994

Subject: WRITTEN WARNING - JOB PERFORMANCE

Company policy states that one of your performance responsibilities, as a route salesperson, is to remove all out-of-code products and manufacturing defects under the guidelines of product management. On February 10, myself and Steve Poe went to visit one of your accounts, Grocery Warehouse. The following items were found stale on the shelf.

- ( 1 ) \$ .99 Reg Bakenets dated 11-15-93
- ( 3 ) \$ .99 Reg Bakenets dated 1/3/94
- (25) \$1.99 CRA Doritos dated 1-31-94
- (11) \$1.99 SAL Doritos dated 1-31-94
- (52) \$1.99 Nacho Doritos dated 2-7-94
- ( 4 ) \$1.99 Nacho Doritos dated 1-31-94
- ( 1 ) \$1.69 Jalapeno Crunch Tator dated 1-31-94

Ed, the total amount of your negligence to manage product was \$131.95. This clearly is not up to standard. Ed, you must roll product as necessary to control stales. Failure to comply with these guide lines could result in further disciplinary action up to and including termination.

Looking forward to your cooperation.

*Edward De Stefan*

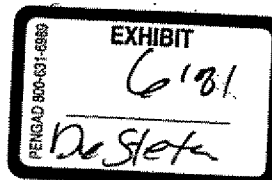
(Employee's Signature)

*2/14/94*  
(Date)

*Greg La Mar*

(Managers Signature)

*2/14/94*  
(Date)



000272

# Exhibit N



Frito-Lay, Inc.

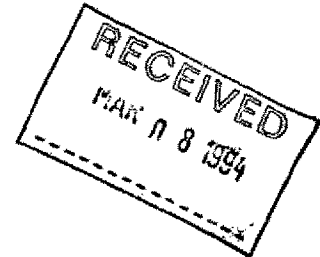
To: Ed DeStefan

Copies: Kevin Arceneaux  
Mike Williams  
Human Resources  
File

From: Greg LaMar

Date: March 3, 1994

Subject: 2ND WRITTEN WARNING - JOB PERFORMANCE



Ed, while on a market tour on March 2, 1994 the following product was found stale in (2) of your markets:

- ARCO AM/PM (Riverside Drive) - (19) \$1.59 Ruffle Lights dated 2-28-94, (6) .59¢ Rich N Chewy Grandma's Cookies dated 2-28-94, (2) .59¢ Chocolate Chip Cookies.

You had serviced this store on March 1, yet failed to pick up the stales. Additionally, the large amounts of Ruffle Lights on your display that went stale indicate product mismanagement.

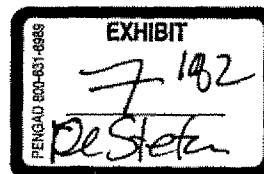
- Won's Liquor - (3) .69¢ Mesquite Crunch Tators dated 2-7-94, (2) \$1.99 Cool Ranch Doritos dated 2-21-94, (15) .59¢ Peanut Butter Creams dated 2-21-94.

This store received service by you on February 25th, yet again, you neglected picking up the stales.

Ed, on February 11th, we talked about your performance responsibility as a route salesman is to remove all out-of-code products under the guidelines of product management. We also talked about the importance of rolling product, as necessary, to control stales (2-11-94 Written Warning). Negligence to manage product again resulted in a \$49.83 loss to Frito-Lay, not to mention the amount of consumers lost by purchasing stale product from your accounts.

What I found in your stores Ed, after your previous disciplinary action, would subject you to a final written warning. However, due to your 6 years of service with Frito-Lay, you will receive a second written warning due to your unsatisfactory job performance.

FL-3389-21



000269

Rolling product is a part of you accountability as a salesman, and must be exercised as necessary to control stales. Failure to comply with these guidelines will result in a final written warning.

Looking forward to your cooperation.

Edward D. Stetson  
(Employee's Signature)

3/4/94  
(Date)

G. L. M.  
(Manager's Signature)

3/4/94  
(Date)

000270

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# Exhibit O

## DAILY REPORT

LOCATION: SAN DIEGO MEGA DC  
LOCATION TYPE/ #: 03/ 4441

DOCUMENT #: 32643406

PRINT DATE: 21 JAN 2009 21:06:40  
ACCT DATE: 21 JAN 2009 21:03:40  
ROUTE: 98121  
EMPLOYEE: EDWARD DE STEFAN  
EMPLOYEE ID: 03140953

FRITO-LAY,  
PITTSBURGH, PA 15264-3103

FLEET DATA: TRUCK: 95138  
ACCIDENTS NONE  
ENDING ODOMETER 53686  
BEGINNING ODOMETER 53631  
MILES DRIVEN 55

CASH EXPENSES:  
Postage/money order 1.00  
TOTAL EXPENSES \$1.00

## SUMMARY OF DOCUMENTS CREATED:

## SUMMARY OF ORDERS:

DOC NBR	DAY	DELIVERY DATE	AMOUNT	CUST NBR
32643385	WED	06:42:46 FRI, 23 JAN	452.71	2273278
		SAVE-A-LOT #948 678 JAMACHARD		
32643387	WED	09:31:20 FRI, 23 JAN	1587.54	141558
		TARGET #997 5500 GROSSMONT CENTER DR		
32643388	WED	10:24:56 THUR, 22 JAN	593.69	698392
		SHINAR PIZZA 340 E BRADLEY AV		
32643389	WED	10:39:13 THUR, 22 JAN	306.54	1334849
		PEPINS VALERO 1791 N SECOND		
32643390	WED	10:57:13 THUR, 22 JAN	323.42	1425913
		LAKESIDE DISCOUNT LI 8909 WINTER GDNS		
32643391	WED	11:19:15 THUR, 22 JAN	213.41	2207665
		SUPER STAR 1090 BROADWAY		
32643392	WED	11:22:41 THUR, 22 JAN	108.81	2079963
		SAFETY STOCK CUSTOMER 4953 PARAMOUNT DRIVE		
32643393	WED	11:31:16 FRI, 23 JAN	125.38	1916503
		SIMON'S 99CENT STORES 1059 BROADWAY		
32643394	WED	11:44:50 FRI, 23 JAN	302.64	606159
		CIRCLE J MARKET 1031 BROADWAY		
32643395	WED	12:16:10 THUR, 22 JAN	227.57	609349
		THRIFTY #9532 700 AVOCADO RD		
32643396	WED	12:26:44 THUR, 22 JAN	597.21	245386
		WASHINGTON MKT 01 121 W WASHINGTON		
32643397	WED	12:38:37 THUR, 22 JAN	308.87	1858752
		MOLLISON MARKET 725 S MOLLISON AV		
32643398	WED	12:49:09 THUR, 22 JAN	299.27	606522
		RANCH LIQUOR 1007 E WASHINGTON		
32643399	WED	16:02:43 FRI, 23 JAN	187.30	400958
		7-ELEVEN #21834 108 W WASHINGTON		
32643400	WED	16:07:56 FRI, 23 JAN	161.53	2363307
		7-ELEVEN #34048 1021 WASHINGTON AVE		
32643401	WED	18:21:36 TUE, 27 JAN	322.64	1970504
		WALGREENS 5844 215 N 2ND ST		
TOTAL:			\$6,198.53	

## CHARGE MANIFEST:

DOC NBR	DAY	AMOUNT	CUST NBR
32643357	WED	17:29:17 346.85	1970504
		WALGREENS 5844 215 N 2ND ST	
		DELIVERY DATE: 21 JAN 2009	
32643369	WED	07:08:02 954.03	141558
		TARGET #997 5500 GROSSMONT CENTER DR	
		DELIVERY DATE: 21 JAN 2009	
TOTAL:		\$1,300.88	

## CASH MANIFEST:

DOC NBR	DAY	AMOUNT	CUST NBR	CHK NBR	AMOUNT
32643372	WED	15:18:04 450.18	609348		
		FAIR VALLEY LIQUOR 545 E MAIN			
		DELIVERY DATE: 21 JAN 2009			
32643373	WED	14:45:41 81.99	2079963		
		SAFETY STOCK CUSTOMER 4953 PARAMOUNT DRIVE			
		DELIVERY DATE: 21 JAN 2009			
32643374	WED	20:53:55 273.93	606518		
		MAIN STREET LIQUOR 861 E MAIN ST			
		DELIVERY DATE: 21 JAN 2009			
32643375	WED	18:38:56 308.71	1291300		
		EZ CORNER MARKET 1107 E MAIN			
		DELIVERY DATE: 21 JAN 2009			
32643376	WED	13:33:49 264.72	606650		
		N & K MKT 1183 E MAIN			
		DELIVERY DATE: 21 JAN 2009			



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DELIVERY DATE: 21 JAN.2009  
 32643374 WED 20:53:55 273.93 606518  
 MAIN STREET LIQUOR 861 E MAIN ST  
 DELIVERY DATE: 21 JAN.2009  
 32643375 WED 18:38:56 308.71 1291300  
 EZ CORNER MARKET 1107 E MAIN  
 DELIVERY DATE: 21 JAN.2009  
 32643376 WED 13:33:49 264.72 606650  
 N & K MKT 1183 E MAIN  
 DELIVERY DATE: 21 JAN.2009  
 TOTAL: \$1,379.53

## MISCELLANEOUS TRANSACTIONS:

DOC NBR	DAY	AMOUNT	DOC DESCRIPTION
32643384	TUE 20:32:05	5.30	Book Inventory
32643402	WED 20:57:54	154.53	Manifest Refusal (92588789)
32643403	WED 21:02:22	127.74	Physical Inventory
32643404	WED 21:03:40	7.86	Account Defect
32643405	WED 21:03:40	9.09	Account Stake

## VOIDED DOCUMENTS:

DOC NBR	DAY	STATUS	AMOUNT	CUST NBR	DOC DESCRIPTION
32643386	WED	VOID	1340.13	141558	Prepick Order

## INVENTORY SALES:

TOTAL CHARGE SALES	\$0.00	TOTAL CHARGE SALES	\$1,380.88
TOTAL CASH SALES	\$0.00	TOTAL CASH SALES	\$1,448.10
TOTAL E-CHECK SALES	\$0.00	TOTAL E-CHECK SALES	\$0.00
TOTAL CUSTOMER SAMPLES	\$0.00	TOTAL CUSTOMER SAMPLES	\$0.00
TOTAL SALES	\$0.00	TOTAL SALES	\$2,748.98
TOTAL ROLLS	\$0.00	TOTAL ROLLS	-\$25.06
TOTAL ACCT STALES	\$0.00	TOTAL ACCT STALES	-\$9.09
TOTAL ACCT MFG DEFECTS	\$0.00	TOTAL ACCT MFG DEFECTS	-\$7.87
TOTAL UNSALEABLES	\$0.00	TOTAL UNSALEABLES	-\$16.96
TOTAL SALES FROM INV	\$0.00	TOTAL SALES FROM MANIFT	\$2,706.96

TOTAL STORE DOOR SALES	\$2,706.96
TOTAL ALLOWANCES	\$26.55
TOTAL TAX COLLECTED	\$0.00
TOTAL SALES	\$2,680.41

## ALLOWANCE SUMMARY:

ALLOWANCE ON SALES	\$31.26
CUSTOMER SAMPLES	\$0.00
CONTRACTUAL DISCOUNTS	\$0.00
(LESS) ALLOW ON RETURNS	\$4.71
TOTAL ALLOWANCES	\$26.55

## CASH SUMMARY:

TOTAL CHECKS REC'D	\$0.00
TOTAL CASH REC'D	\$1,379.53
(LESS) TOTAL EXP	-\$1.00
TOTAL CASH DUE	\$1,378.53
TOTAL CHECKS/CASH DUE	\$1,378.53
TOTAL E-CHECK AMOUNT	\$0.00

## BALANCE SUMMARY:

BEGINNING BOOK INV	\$5.30
TOTAL SALES FROM INV	-\$25.06
ACCT STALES	\$0.00
ACCT DEFECTS	\$0.00
PHYS INV VARIANCE	\$0.00
TOTAL INV DOC	\$0.00
CUST MANIFT EFFECT ON INV	\$97.38
ROUNDING OFF	\$0.00
ENDING BOOK INV	\$127.74

## PERFORMANCE TO PLAN:

WEEKLY SALES PLAN	\$11,489.62	WEEKLY UNSALEABLE PLAN(%)	0.3
WEEK TO DATE SALES	\$5,809.44	WEEK TO DATE UNSALEABLES(%)	0.5
VARIANCE TO PLAN	-\$5,680.18	WEEK TO DATE UNSALEABLES	\$27.92
SDV PER HOUR	\$0		

SIGNATURE: \_\_\_\_\_

## UNACKNOWLEDGED CUSTOMER MANIFEST:

DOCUMENT NUMBER	CUSTOMER NUMBER	CUSTOMER NAME	DELIVERY DATE	TOTAL UNITS	TOTAL DUE
32643347	224653	AMPM #5137	20 JAN.2009	232	\$190.40

VERSION: H14 PROD.00.38.00:5

\*\*\*\*\* END OF REPORT \*\*\*\*\*

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